

Exhibit F

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
SEATTLE DIVISION

HUONG HOANG,

Plaintiff,

vs.

AMAZON.COM, INC., et al.,

Defendants.

Videotaped Deposition Upon Oral Examination

of

GIANCARLO CAIRELLA

9:01 A.M.

August 1, 2012

1201 Third Avenue, Ste. 1600

Seattle, Washington

Valerie L. Seaton, RPR, CCR

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21 THE VIDEOGRAPHER:

22

DAN BASSETT

23

MOBURG, SEATON & WATKINS

24

25 ALSO PRESENT:

26

HUONG THU HOANG

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29

1 do you get?

2 A. We may get people complaining that we don't
3 have all their information. We may get users
4 complaining that the information about something or
5 someone is inaccurate or incomplete or asking how they
6 can find information on the site.

7 Q. Am I correct in my understanding that -- that
8 users to the site can submit information about people
9 on the site?

10 A. That is correct.

11 Q. So, for instance, a user can submit someone's
12 film credits?

13 A. Yes.

14 Q. What is the process by which those pieces of
15 information are received and collated into the
16 database?

17 A. Well, the information is submitted through
18 the website itself. There is a form that people can
19 fill, and then it gets processed by our content team
20 and they look at it and decide whether it should go on
21 the site or not. Some of it may be automatically
22 approved. It really depends on the data.

23 Q. Well, so let's -- let's go into that. How
24 does something get automatically approved?

25 A. Well, it depends on the -- on the specific

1 type of data. I'm not familiar with every single
2 criteria that is applied to the data, but, for example,
3 if someone were to submit that, I don't know, the movie
4 is going to be released on a certain date, we may
5 accept that information automatically without verifying
6 it, depending on the source. But other types of
7 information we -- we would probably double-check. It
8 really depends on the individual piece of data.

9 Q. In this case, I understand you're aware in
10 this case we're dealing specifically with a date of
11 birth.

12 A. Correct.

13 Q. With respect to personal information such as
14 date of birth, I think you also have things like the
15 high school someone attended, that sort of thing,
16 listed; is that right?

17 A. Well, we don't have specific fields for that,
18 but we have a biographical section where people can add
19 biographical information, including work history,
20 personal history. We have a section called "trivia"
21 which collects all kinds of, you know, trivia items
22 about a person.

23 Q. And so users other than the person with the
24 entry can submit information to be included in this
25 biographical or trivia section of the site?

1 A. That is correct.

2 Q. What is the circumstances where you would
3 accept information given for biographical or trivia
4 reasons without vetting it?

5 A. It's usually user, submitter's reputation.
6 If someone has submitted data in the past without any
7 problem, we would probably continue to accept data at
8 face value unless it looks incorrect on its face.

9 Of course, we tend to believe when people
10 submit data about themselves in most cases. It really
11 depends also on the profile of information.
12 Information about a high-profile person may be
13 scrutinized more carefully.

14 Q. So you said that information on a
15 high-profile person would be scrutinized more
16 carefully?

17 A. That's correct.

18 Q. Why is that?

19 A. Well, if something is about a section of a
20 site that gets a lot of page views, we may put extra
21 effort into making sure that it's consistent with our
22 guidelines.

23 Q. Is that a specific -- well, you mention your
24 guidelines. What are your guidelines?

25 A. Guidelines are documented on the sideway of

1 submission guidelines which explain what kind of data
2 we will or will not list. We have content guidelines
3 like, you know, whether a bio needs to be written in
4 the first person or the third person. That kind of
5 stuff.

6 Q. And what sort of vetting would you do for,
7 let's say, biographical and trivia data like we were
8 talking about a minute ago?

9 A. I wouldn't personally do the vetting. But
10 our content team may -- if they see a bio and they want
11 to double-check it, they may Google the information
12 online, see if it's verified by any other source. Or
13 they may simply accept it if it looks credible.

14 Q. When you say they would look for it online,
15 what kind of places would they look for it online?

16 A. I don't know exactly. I'm assuming they
17 would Google and see if there's a match on it, an
18 article on a website somewhere or any other source
19 really.

20 Q. So essentially they just Google it and see
21 what comes up?

22 A. Well, that's part of it, yes.

23 Q. Okay. And --

24 A. We also use personal knowledge. I mean, some
25 information can be -- can be accepted or rejected

1 simply because of the content editor decides it's
2 appropriate or not.

3 Q. Are there guidelines for that?

4 A. Well, I'm sure the content editors have their
5 own individual guidelines. I'm not aware of every
6 specific case, but I'm sure they also use common sense.

7 Q. So you're not trained in the content
8 guidelines?

9 A. Well, I'm familiar with them, but I don't
10 approve the data myself on a daily basis. So I
11 don't -- I can't really speak to what is done by the
12 editors. They also evolve constantly. I mean, you
13 know, the data keeps getting submitted. We might
14 decide at some point to start accepting new types of
15 data. It's really an editorial decision.

16 Q. Are you trained on those guidelines at all?

17 A. Define "training."

18 Q. Do they set you down and discuss the
19 guidelines? You mentioned that they change the
20 guidelines. Do they discuss the changes in the
21 guidelines with you?

22 A. Not -- if you define training as sitting down
23 and instructing someone specifically, no. But I am
24 aware of most of these policies, mostly because they
25 are part of what we do.

1 ever had this discussion with anyone other than my
2 client with respect to the change or removal of their
3 data?

4 A. What do you mean by that?

5 Q. Well, the fact that you're requesting
6 additional biographical information in order to change
7 or remove biographical information from the site.

8 MS. ROOS: Object to form.

9 A. I'm not sure I understand what you're
10 asking. Are you asking me if anyone else has
11 complained about this?

12 Q. (BY MR. SZEGO) Yes.

13 A. I'm sure that we've had people complain, but
14 I don't remember specific names or incidents.

15 Q. You say you're sure. Have you been involved
16 in any of those complaints?

17 A. Well, I deal with a lot of customer service
18 queries, so as part of those, we've heard complaints
19 from people about the data listed on the site.

20 Q. And I'm not sure I asked this earlier, but
21 how long have you been customer service manager with
22 IMDb?

23 A. At least since 2003. I started out doing
24 something different, and I don't remember the exact
25 date when I -- my job title became customer service

1 manager. So I'm not sure.

2 Q. What did you do that was different? What
3 other title did you have?

4 A. I've done lots of things from managing cast
5 credits to dealing with customer service, whereas not
6 in the role as manager, but just as a representative.

7 Q. And you said you were sure that there had
8 been some and that you deal with a lot. Can you give
9 me an idea of how many complaints you've had about
10 this?

11 MS. ROOS: Object to form.

12 A. Well, I said that I deal with a lot of
13 complaints in general. I don't know how many
14 complaints specifically about this we get. I'm not
15 able to estimate.

16 Q. (BY MR. SZEGO) Not able to estimate. Well,
17 let's say, is it more than two?

18 A. Yes.

19 Q. Is it more than ten?

20 A. Yes. You're talking about daily basis?
21 Annual basis? Ever?

22 Q. On an annual basis, is it more than ten?

23 A. Probably, yes.

24 Q. On an annual basis, is it more than 15?

25 A. Yes.

1 Q. On an annual basis, is it more than 25?

2 A. Yes.

3 Q. On an annual basis, is it more than 50?

4 A. I don't know.

5 Q. You don't know? It's close? You don't
6 know -- you just don't know?

7 MS. ROOS: Object to form.

8 A. I just don't know. I don't count them. I
9 don't deal with every single complaint myself. We get
10 a lot of customer service queries. I don't know the
11 number.

12 Q. (BY MR. SZEGO) Now -- I'm sorry. Just give
13 me a second.

14 So that I've asked, who is Geoff Leonard?

15 A. Geoff Leonard was a data manager who worked
16 for IMDb.com.

17 Q. He was? When did he leave?

18 A. I don't remember exactly. He retired a few
19 years ago.

20 Q. A few years ago? More than one? More than
21 two?

22 MS. ROOS: Object to form.

23 A. More than one.

24 Q. (BY MR. SZEGO) Well, let me rephrase so that
25 I can attempt to overcome the objection. When you say

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1 MR. SZEGO: Could we go off the record
2 for a moment?

3 THE VIDEOGRAPHER: Going off record.
4 The time now is 9:48 A.M.

5 (Off the record.)

6 THE VIDEOGRAPHER: Back on record. The
7 time now is 10:00 a.m.

8 (Exhibit No. 4 marked.
9 for identification.)

10 Q. (BY MR. SZEGO) I'm going to give you a
11 document that we've marked as Exhibit No. 4. Can you
12 identify that document for me?

13 A. This is an e-mail exchange between myself and
14 Geoff Leonard, who was the manager of our biographical
15 information at the time.

16 Q. Now, if I go down to the second paragraph of
17 the top e-mail, it says, "I cannot find anything in the
18 usual places." What did that mean?

19 MS. ROOS: Object to form.

20 A. I assume it means the usual places that we
21 look for verification of information, meaning Google or
22 books or our own submission records.

23 Q. (BY MR. SZEGO) Now, this e-mail is dated
24 July 16, 2008, which is before you said that you looked
25 at the account information in November of 2008.

1 Q. (BY MR. SZEGO) Now, around this same time,
2 November of 2008, did you do any searching for records
3 relating to my client's date of birth?

4 A. Searching, yes.

5 Q. Do you recall where you searched for those
6 records?

7 A. I remember searching on PrivateEye.com, which
8 is a public records database.

9 Q. When you say "public records database," it's
10 a subscription service, isn't it?

11 A. It's a pay service. Some information is
12 available for free and some you have to pay for.

13 Q. And in this particular case, you paid to
14 search information regarding my client; is that
15 correct?

16 A. Yes, that is correct.

17 Q. And where did you get the search terms that
18 you used to search for my client?

19 MS. ROOS: Object to form.

20 A. Define "search term."

21 Q. (BY MR. SZEGO) Well, you put in names, if I
22 understand correctly.

23 A. That is correct.

24 Q. Where did you get the names that you put into
25 the searches?

1 A. From her IMDb account information.

2 Q. When you say "her IMDb account information,"
3 do you mean information that was submitted with her
4 credit cards?

5 MS. ROOS: Object to form.

6 A. Information that was submitted as part of the
7 subscription to IMDbPro.com.

8 Q. (BY MR. SZEGO) So as part of the
9 subscription, that includes her credit card
10 information; is that correct?

11 MS. ROOS: Object to form.

12 A. Well, we didn't use her credit card
13 information.

14 Q. (BY MR. SZEGO) What do you mean by you
15 didn't use her credit card information?

16 A. We look up her account information and the
17 name on the account. That's what we search for.

18 Q. Well, I've shown you as Exhibit No. 3, I
19 believe, and then again -- I'm sorry, it's No. 4 -- a
20 document that shows Junie Hoang as the name associated
21 with the account.

22 A. I'm not sure which documents you're referring
23 to at this point.

24 Q. If you look in defense -- No. 3, it shows
25 Junie Hoang as the name associated with the account.

1 through a Google search. If you search for "date of
2 births," you get a ton of public record databases.

3 Q. (BY MR. SZEGO) Prior to your obtaining an
4 account on this website, did you have a discussion with
5 anyone about whether or not there were any privacy
6 concerns with respect to using this website?

7 MS. ROOS: Object to form.

8 A. I don't recall a conversation about this
9 particular topic.

10 Q. (BY MR. SZEGO) Since becoming a member of
11 this website, have you ever conferred with anyone about
12 whether or not there may be privacy concerns with your
13 use of this website?

14 MS. ROOS: Object to form.

15 A. The topic has come up in conversations with
16 attorneys recently, but only --

17 MS. ROOS: I'm going to stop and
18 instruct you not to divulge the content of any
19 conversations with attorneys.

20 Q. (BY MR. SZEGO) Without divulging the
21 response of your attorneys, has there been any change
22 in policy as a result of the use of this website?

23 MS. ROOS: Object to form.

24 A. No.

25 Q. (BY MR. SZEGO) After finding this name, the

1 Huong Thu Hoang name, did you make a change to the
2 database?

3 MS. ROOS: Object to form.

4 A. I didn't personally make a change, but we did
5 update the information on our site.

6 Q. (BY MR. SZEGO) Who updated the information
7 on your site?

8 A. I don't know. I don't remember exactly. A
9 member of our data team, I assume.

10 Q. Why?

11 A. Because we found out that the birth date that
12 we had listed was not correct, and we corrected it to
13 the correct date of birth date.

14 Q. What about with respect to the name on the
15 account?

16 MS. ROOS: Object to form.

17 A. Which name are you referring to?

18 Q. (BY MR. SZEGO) Let me rephrase the question
19 and see if I can get around the objection to form.

20 As a result of the searches you did on
21 November 12, was a change made to IMDb's database with
22 respect to my client's name rather than her date of
23 birth?

24 A. No.

25 Q. Are you familiar with automatic -- well, are

1 A. Yes.

2 Q. (BY MR. SZEGO) Now, I told you we would come
3 back to it. I just want to take a moment and look at
4 your LinkedIn profile. We'll mark this as 11.

5 (Exhibit No. 11 marked.
6 for identification.)

7 Q. (BY MR. SZEGO) Can you identify document
8 No. 11 for me?

9 A. It looks like a copy of my LinkedIn profile.

10 Q. Is this current?

11 A. I believe so. I haven't updated in a real
12 long time, as far as I remember, so yes.

13 Q. If I look halfway down the first page, it
14 lists two different customer service manager
15 positions.

16 A. Yes.

17 Q. One says "Customer Service Manager, IMDb.com"
18 and underneath that it says "Amazon.com." And it's
19 listed as a public company, gives the stock symbol.
20 Did you add that information?

21 A. Well, I -- yes, at some point I must have
22 answered my affiliations as IMDb.com and Amazon.com as
23 well as the other listings X-Media and Epson for
24 experience.

25 Q. And it lists you as working for Amazon.com

1 from 1998 to the present, and it lists you as working
2 for IMDb.com from 1995 to the present. So it lists you
3 as working for both at the same time; is that correct?

4 MS. ROOS: Object to form.

5 A. That is correct, that's what it shows.

6 Q. (BY MR. SZEGO) Allow me to reword it. This
7 reflects that you worked both for Amazon and for IMDb
8 at the same time, correct?

9 MS. ROOS: Object to form.

10 A. Well, that's what it shows, yes.

11 Q. (BY MR. SZEGO) Now, we've talked about how
12 you were contacting Kathryn Sheehan in an e-mail.
13 Kathryn Sheehan is counsel for Amazon, correct?

14 A. Correct.

15 Q. And Adrian Garver works for the legal
16 department for Amazon, correct?

17 A. Correct.

18 Q. Do you have access to Amazon databases?

19 A. What do you mean by "databases"?

20 Q. Information collected by Amazon.

21 MS. ROOS: Object to form.

22 A. I'm not sure. What do you mean by
23 information collected by Amazon? But I don't have
24 access to any Amazon-specific database. I only deal
25 with IMDb customers and customer service.

1 EXAMINATION

2 BY MS. ROOS:

3 Q. Mr. Cairella, do you have any job
4 responsibilities relating to Amazon.com?

5 A. No.

6 Q. Have you ever had any job responsibilities
7 relating to Amazon.com?

8 A. No.

9 MS. ROOS: No further questions.

10 FURTHER EXAMINATION

11 BY MR. SZEGO:

12 Q. Mr. Cairella, am I correct that IMDb is a
13 wholly owned subsidiary of Amazon.com?

14 A. Yes.

15 Q. Do you attend board meetings that involve
16 Amazon.com board members or personnel?

17 MS. ROOS: Object to form.

18 A. No.

19 Q. (BY MR. SZEGO) Does Amazon.com derive
20 revenue from IMDb.com?

21 A. Yes.

22 Q. IMDb.com's revenues derive at least in part
23 from the completeness of its database, correct?

24 MS. ROOS: Object to form.

25 A. I don't know if -- we -- our users expect us

1 C E R T I F I C A T E

2 STATE OF WASHINGTON)
) SS.

3 COUNTY OF PIERCE)

4 I, the undersigned Washington Certified Court
Reporter, pursuant to RCW 5.28.010 authorized to
5 administer oaths and affirmations in and for the State
of Washington, do hereby certify:

6

That the annexed and foregoing deposition
7 consisting of Pages 1 through 75 of the testimony of
each witness named herein was taken stenographically
8 before me and reduced to typed format under my
direction;

9

I further certify that according to CR 30(e)
10 the witness was given the opportunity to examine, read
and sign the deposition after the same was transcribed,
11 unless indicated in the record that the review was
waived;

12

I further certify that all objections made at
13 the time of said examination to my qualifications or
the manner of taking the deposition or to the conduct
14 of any party have been noted by me upon each said
deposition;

15

I further certify that I am not a relative or
16 employee of any such attorney or counsel, and that I am
not financially interested in the said action or the
17 outcome thereof;

18

I further certify that each witness before
19 examination was by me duly sworn to testify the truth,
the whole truth and nothing but the truth;

20

I further certify that the deposition, as
21 transcribed, is a full, true and correct transcript of
the testimony, including questions and answers, and all
objections, motions, and exceptions of counsel made and
22 taken at the time of the foregoing examination and was
prepared pursuant to Washington Administrative Code
23 308-14-135, the transcript preparation format
guidelines;

24

I further certify that I am sealing the
25 deposition in an envelope with the title of the above

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1 cause and the name of the witness visible, and I am
2 delivering the same to the appropriate authority;

2

3 I further advise you that as a matter of firm
4 policy, the Stenographic notes of this transcript will
5 be destroyed three years from the date appearing on
6 this Certificate unless notice is received otherwise
7 from any party or counsel hereto on or before said
8 date;

9 IN WITNESS WHEREOF, I have hereunto set my
10 hand and affixed my official seal this 14th day of
11 August, 2012.

7

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VALERIE L. SEATON, RPR, CCR
Certified Court Reporter in
the State of Washington,
residing at Tacoma.
License No. 2557

Giancarlo Cairella

Customer Service Manager, IMDb.com
Greater Seattle Area | Internet

Join LinkedIn and access Giancarlo Cairella's full profile.

As a LinkedIn member, you'll join 150 million other professionals who are sharing connections, ideas, and opportunities. And it's free! You'll also be able to:

- See who you and Giancarlo Cairella know in common
- Get introduced to Giancarlo Cairella
- Contact Giancarlo Cairella directly

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Giancarlo Cairella's Overview

Current Customer Service Manager, IMDb.com at Amazon.com
Customer Service Manager at IMDb.com

Past Co-founder at X-Media
Customer Service at Epson Italia

Education Università Cattolica del Sacro Cuore

Recommendations 1 person has recommended Giancarlo

Connections 161 connections

Websites Company Website
Company Website

Giancarlo Cairella's Summary

I've been managing customer service/tech support companies and teams since 1987

Specialties
Internet customer support

Giancarlo Cairella's Experience

Customer Service Manager, IMDb.com
Amazon.com

Public Company, 10,001+ employees, AMZN; Internet industry
April 1998–Present (14 years 4 months)

Customer Service Manager

IMDb.com
Public Company; 51-200 employees; Internet industry
March 1995–Present (17 years 5 months)

Co-founder

X-Media
Privately Held; 11-50 employees; Computer Software industry
1990–2001 (11 years)

Customer Service

Epson Italia
Public Company; 10,001+ employees, Computer Hardware industry
1995–2000 (4 years)

Giancarlo Cairella's Education

Università Cattolica del Sacro Cuore

Giancarlo Cairella's Additional Information

Websites:

- Company Website
- Company Website

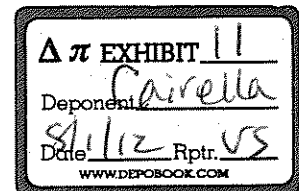
Groups and Associations:  Amazon Global Network

 IMDb

Contact Giancarlo for:

View Giancarlo Cairella's full profile to...

- See who you and Giancarlo Cairella know in common
- Get introduced to Giancarlo Cairella



• Contact Giancarlo Cairella directly

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